

SHARRON HIGGS, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:04CV1479 RWS  
 )  
 EMC MORTGAGE CORP. et al., )  
 )  
 Defendants. )

On October 16, 2006, I ordered defendant EMC to “respond in writing to plaintiff’s allegations by no later than October 20, 2006. Counsel shall include copies of the correspondence referenced by plaintiff in her response, together with a copy of the loan documents submitted to plaintiff at the courthouse on September 1, 2006. EMC shall also advise the Court whether plaintiff has complied (or attempted to comply) with the terms of the settlement agreement by submitting a mortgage payment for the month of September and procuring homeowner’s insurance (if this information is known to EMC).” Although EMC filed a written response and included a copy of the letter it sent to plaintiff, it failed to comply with the terms of my Order by providing a copy of the loan documents submitted to plaintiff on September 1, 2006. EMC has also failed to advise the Court whether plaintiff submitted a mortgage payment and procured

homeowner's insurance. I will grant EMC until October 26, 2006, to provide this information in a supplemental response. If EMC does not comply, I will deny its motion to dismiss.

Accordingly,

**IT IS HEREBY ORDERED** that **EMC shall file its supplemental response to plaintiff's response to the Show Cause Order as outlined above by no later than October 26, 2006.**

A handwritten signature in dark ink, appearing to read "Rodney W. Sippel", is written above a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of October, 2006.